

## CHAPTER 167. PROCESS THE APPLICATION OF A REPAIR STATION FOR ACCEPTANCE UNDER JAR 145

### SECTION 1. BACKGROUND

#### 1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.

A. *Maintenance:* 3377, 3669, 3771

B. *Avionics:* 5377, 5669, 5771

**3. OBJECTIVE.** This chapter describes the procedures to process an application of a repair station certificated under Title 14 of the Code of Federal Regulations (14 CFR) part 145 for acceptance under Joint Aviation Requirements (JAR) 145.

#### 5. GENERAL.

A. JAR 145 is a set of requirements established by the Joint Aviation Authorities (JAA) that are similar to 14 CFR part 145. JAR 145 has been adopted by all JAA-member National Aviation Authorities (NAA) and includes those requirements that a repair station must comply with to qualify as a JAA-accepted maintenance organization. JAR 145 also includes requirements specifying that the maintenance of all aircraft registered in JAA-member countries and used in commercial air transport operations be performed by a maintenance organization approved or accepted by the JAA.

B. A repair station certificated under 14 CFR part 145 located in the U.S. may qualify for acceptance by the JAA as a maintenance organization in accordance with (IAW) JAR 145.10. JAR 145.10 permits organizations located outside the territories of the JAA-member countries to be accepted when working IAW the conditions detailed in an international maintenance agreement (for example, a Bilateral Aviation Safety Agreement (BASA) containing Maintenance Implementation Procedures (MIP)). JAR 145.10 also permits these organizations to be accepted before an international maintenance agreement has been signed, subject to certain conditions and limitations.

C. As a result of these provisions, a repair station certificated under 14 CFR part 145 may be accepted by the JAA on behalf of the JAA-member NAA if the repair station complies with specific additional

conditions beyond those required by 14 CFR part 145. These conditions are specified in the MIP to a BASA and are further described in JAA Maintenance Leaflet No. 22, JAA Acceptance of American Repair Stations. A repair station accepted by the JAA may perform work on any aircraft registered in a JAA-member country. A repair station accepted by the JAA has the acceptance of all JAA-member NAA's and does not require independent certification by a JAA-member NAA.

D. The United States has concluded BASA's with the following JAA-member countries: Austria, France, Germany, Ireland, the Netherlands, Sweden, Switzerland, and the United Kingdom. Of these countries, an MIP only has been concluded with Germany.

**7. JAR 145 ACCEPTANCE PROCESS.** The JAR 145 acceptance process provides for interaction between the applicant and the FAA during initial inquiry, JAR 145 acceptance, and the renewal process. It ensures that the intended methods of compliance with JAR 145 are reviewed, evaluated, and tested thoroughly. The JAR 145 acceptance process consists of the following five phases:

- Preapplication Phase
- Formal Application Phase
- Document Compliance Phase
- Demonstration and Inspection Phase
- JAA Acceptance Phase

#### A. *Preapplication Phase.*

(1) *Preliminary Inquiry.* A repair station certificated under 14 CFR part 145 seeking to apply for initial acceptance or renewal of acceptance under JAR 145 should inform the Flight Standards District Office (FSDO) with certificate oversight responsibility of its intent to seek JAA acceptance under JAR 145.

(2) *Inspector Response.* The Aviation Safety Inspector processing a request for JAR 145 initial acceptance or renewal should be the Principal Inspector (PI), Principal Maintenance Inspector (PMI),

or Principal Avionics Inspector (PAI) for the applicant. Upon receipt of the preliminary inquiry, the inspector should send an instruction packet to the applicant that includes Advisory Circular (AC) 145-8, Acceptance of Repair Stations by the JAA and JAA-member NAA's Under the Maintenance Implementation Procedures of a Bilateral Aviation Safety Agreement, and JAA Maintenance Leaflet No. 22. JAA Maintenance Leaflet No. 22 describes the conditions the applicant must meet for JAA acceptance and contains an application for JAA acceptance (JAA Form 16) and a sample JAA Supplement. An inspector need not provide these documents to a repair station seeking renewal of acceptance if the documents have not been revised since the issuance of the repair station's previous acceptance.

**B. Document Preparation/Preapplication Discussions.** After the applicant has reviewed the information sent by the inspector, preapplication discussions may be held to resolve any questions the applicant has regarding the application package. Because the applicant already has a 14 CFR part 145 certificate, the inspector should be familiar with the applicant. Any questions regarding the preparation of the application may be resolved verbally. During preapplication discussions with a new applicant, the requirements for the completion of the JAA Supplement to the applicant's Inspection Procedures Manual (IPM) should be discussed specifically. The applicant should be encouraged to use JAA Maintenance Leaflet No. 22 for guidance in developing the JAA Supplement to their IPM. The applicant must fill out JAA Form 16, obtain evidence of its need for JAA acceptance, and prepare their own JAA Supplement based on the sample contained in JAA Maintenance Leaflet No. 22. The applicant must also make any required payments.

**C. Formal Application Phase.** To begin the formal application phase, the inspector will receive the applicant's completed JAA Form 16, JAA Supplement, and evidence of need for JAA acceptance. The inspector should meet with the applicant after receiving the formal application package. All questions regarding the proposed operations as a JAA-accepted maintenance organization, the formal application, and the JAA Supplement should be resolved in this phase.

**D. Document Compliance Phase.** In this phase, the application and JAA Supplement are reviewed

by the inspector thoroughly for acceptance or rejection. This review ensures conformity with applicable JAA requirements, special conditions, and safe operating practices. This phase is performed by the inspector in the FSDO.

**E. Demonstration and Inspection Phase.** In this phase, the inspector verifies that the applicant's proposed procedures are effective and that its facilities and equipment meet Federal Aviation Administration (FAA) regulatory requirements and JAA special conditions before forwarding the application to the JAA for acceptance.

**F. JAA Acceptance Phase.** Once the applicant has met the regulatory requirements of 14 CFR part 145 and the JAA special conditions, the inspector will recommend JAA acceptance of the applicant on JAA Form 9. The inspector will send JAA Form 16 and copies of the applicant's 14 CFR part 145 certificate and FAA Operations Specifications (OpSpecs) to the JAA Maintenance Division for issuance of JAA acceptance under JAR 145. The JAA will issue the acceptance directly to the applicant and will provide a copy to the inspector. A JAA acceptance is valid for two years and may be renewed for subsequent two-year periods.

## **9. CONTINUED VALIDITY OF JAA/NAA ACCEPTANCE.**

**A.** Continued validity of a repair station's JAA acceptance is dependent upon the repair station's efforts to meet the conditions for JAA acceptance, including compliance with 14 CFR part 145 and the JAA special conditions and successful completion of regularly scheduled FAA inspections. The FAA, the JAA, and the JAA-member NAA must be satisfied that the repair station meets these conditions.

**B.** During the two-year period the repair station's JAA acceptance is valid, the inspector will report to the JAA any change in the status of the repair station's 14 CFR part 145 certificate, such as its surrender, suspension, or revocation, and any serious failure of the repair station to comply with 14 CFR part 145 that could result in enforcement action. The inspector will report this information on JAA Form 9. For reporting of uncorrected findings or discrepancies, the inspector will leave the date corrected and file reference columns blank. Revocation of a repair station's

14 CFR part 145 certificate automatically invalidates its JAA acceptance.

**NOTE: Notification to the JAA of a violation does not relieve an inspector of the responsibility to process a violation for FAA enforcement action. An FAA inspector, however, cannot process an action for enforcement if the basis for the action is a violation of the JAR or JAA special conditions but not a violation of the 14 CFR.**

C. The inspector will also report to the JAA any failure of the repair station to comply with its JAA Supplement and any other significant findings and discrepancies. This notification is especially critical in those instances when a repair station fails to use design engineering data approved by the JAA for major repairs or when a repair station fails to carry out internal audits and maintain an independent quality monitoring system. These reports for the JAA are made on JAA Form 9.

D. If the JAA or the JAA-member NAA determines there is a safety failure or a significant failure to comply with the conditions of acceptance, there may be a complete or partial revocation of a repair station's JAR 145 acceptance certificate.

E. Any repair station wishing to contest the revocation of its acceptance certificate will have the right of appeal within 21 days against the JAA-member NAA by persons not associated with the

revocation or limitation of acceptance subject to evidence being submitted at the time of the appeal. Any appeal to the JAA is addressed to the attention of the JAA Maintenance Director. The repair station's JAA acceptance will remain in temporary suspension awaiting the outcome of any appeal. Should a special audit be necessary, the repair station will incur a separate fee for the cost of this audit. There is no right of appeal to the FAA when the JAA revokes or limits a repair station's JAR 145 acceptance.

**11. ACCEPTANCE OF AIR CARRIER LINE STATIONS.** While the JAR 145 acceptance procedure primarily is intended for the acceptance of 14 CFR part 145 certificated repair stations located in the U.S., it can be extended to the line stations of a U.S. air carrier that holds a 14 CFR part 145 certificate. U.S. air carrier line stations located in the U.S. can receive JAA acceptance if the air carrier holds a 14 CFR part 145 certificate for at least one of its base maintenance facilities that is valid for all operated aircraft types, and is able to show that its quality monitoring system covers operations conducted under both certificates and at the line stations. The line stations of a U.S. air carrier located outside the U.S. should submit their request for JAA acceptance to their PMI. The PMI will then contact the JAA Headquarters Division of Maintenance and confirm that the foreign line station is acceptable to the JAA.

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## SECTION 2. PROCEDURES

### 1. PREREQUISITES AND COORDINATION REQUIREMENTS.

#### A. Prerequisites:

- Knowledge of the regulatory requirements of 14 CFR parts 43 and 145
- Knowledge of the requirements of JAA Maintenance Leaflet No. 22
- Successful completion of the Airworthiness Inspector Indoctrination Course or equivalent
- Successful completion of the JAR 145 Application to Domestic Repair Stations Training computer-based instruction
- Previous experience with certification or surveillance of 14 CFR part 145 repair stations

B. *Coordination.* This task requires coordination with the following:

- Applicant (repair station)
- Applicant's PMI or PAI
- FAA Regional JAA Coordinator
- FAA regional and district offices, as appropriate

### 3. REFERENCES, FORMS, AND JOB AIDS.

#### A. References:

- 14 CFR parts 43 and 145
- FAA Order 8300.10, Airworthiness Inspector's Handbook, vol. 2, chapters 161, 162, 164, 168, and 169
- JAA Maintenance Leaflet No. 22, JAA Acceptance of American Repair Stations
- AC 145-8, Acceptance of Repair Stations by the JAA and JAA-Member NAA's Under the Maintenance Implementation Procedures of a Bilateral Aviation Safety Agreement

#### B. Forms:

- FAA Form 8000-4, Air Agency Certificate
- FAA Form 8000-4-1 or FAA Form 8000-8, Repair Station Operations Specifications
- JAA Form 9, FAA Status Report on a 14 CFR Part 145 Repair Station JAA Accepted or Applicant for JAA Acceptance, Form 9 is located on the AVR

web page at URL: <http://afscentral.faa.gov/publications.htm>.

- JAA Form 16, USA Repair Station Application for Initial/Renewal/Amendment of JAA Acceptance IAW JAR 145

C. *Job Aids.* None.

### 5. PREAPPLICATION PHASE.

#### A. Respond to the Preliminary Inquiry.

(1) Upon receipt of a preliminary inquiry from a repair station seeking to apply for initial acceptance under JAR 145, the PI should send the applicant an application packet that includes AC 145-8 and JAA Maintenance Leaflet No. 22. The PI does not need to provide these documents to an applicant seeking renewal of its JAA acceptance if the documents have not been revised since the issuance of the applicant's previous acceptance. JAA Maintenance Leaflet No. 22 includes the following:

- Guidance on complying with JAA Special Conditions
- A sample JAA Supplement

(2) The preliminary inquiry may be made electronically or by letter or facsimile. An applicant is not required to submit an FAA Form 8400-6, Preapplication Statement of Intent (PASI).

**NOTE: An applicant seeking acceptance under JAR 145 must hold a valid repair station certificate issued under 14 CFR part 145 and be located in the U.S. An applicant may not apply concurrently for a repair station certificate and JAA acceptance.**

B. *Conduct Preapplication Discussions.* An applicant should conduct a thorough review of the material contained in the application packet to determine the personnel, facility, equipment, procedural, and documentation requirements they must address. After the applicant has reviewed the packet, the inspector should resolve any questions the applicant may have regarding JAA requirements. The applicant already has a 14 CFR part 145 certificate; therefore, the inspector should be familiar with the applicant, and any questions regarding the preparation of the application may be resolved verbally.

(1) *Completion of the JAA Supplement.* During any preapplication discussions, the requirements for the completion of the JAA Supplement to the applicant's IPM should be reviewed. The applicant should be encouraged to use JAA Maintenance Leaflet No. 22 for guidance in developing the JAA Supplement to its IPM. Guidance for evaluating a JAA Supplement is contained in volume 2, chapter 168. The JAA Supplement should allow the user to understand its content without further explanation and must not contradict any regulatory requirements.

**NOTE: It is the applicant's responsibility to develop a supplement that ensures safe operating practices and compliance with the JAA requirements and guidance material. The inspector can offer suggestions for improvement but must not write the material.**

(2) *Evidence of Need.* The applicant should obtain evidence of their need for JAA acceptance. This evidence may be a letter of intent, contract, or work order from a JAR 145-approved maintenance organization, a JAA-accepted 14 CFR part 145 repair station located in the U.S., a JAA-accepted Transport Canada Civil Aviation AM573 certificated maintenance organization located in Canada, or a European airline or air taxi operation.

(3) *JAA Form 16 and Payments.* The applicant should complete JAA Form 16 and submit any required payments.

## 7. FORMAL APPLICATION PHASE.

*A. Receive the Formal Application.* The PI must ensure all documents have been submitted and are complete.

(1) *Initial Application.* For an initial application for JAA acceptance, the applicant must submit JAA Form 16 in duplicate. The applicant also should submit two copies of their JAA Supplement to their IPM and evidence of their need for JAA acceptance. The proposed JAA Supplement should conform with the sample JAA Supplement contained in JAA Maintenance Leaflet No. 22.

(2) *Renewal of Acceptance.* For a renewal of JAA acceptance, the applicant must submit JAA Form 16 in duplicate and evidence of their continued need for JAA acceptance. The applicant should not submit a new JAA Supplement if their current procedures and activities are reflected in their current supplement and the document has been

submitted previously to the FAA. An applicant seeking renewal should check that their JAA Supplement reflects their current procedures and activities. Any changes will require a revision of the supplement and resubmission to the FAA. All documentation submitted by an applicant seeking renewal, including, if appropriate, any amendment to its JAA Supplement, should be sent to the supervising FSDO at least 60 days before the expiration of their current JAA acceptance. Unless significant changes have taken place since the applicant's last JAA acceptance, this will ensure continuity of the applicant's JAA acceptance.

(3) *Amendment of Acceptance.* The FAA procedures for processing a request for an amendment of JAA acceptance are similar to those used to process a request for initial JAA acceptance, except that evidence of the applicant's need for JAA acceptance does not need to be submitted. The applicant must submit two copies of JAA Form 16 and any corresponding revisions to their JAA Supplement. An amendment of acceptance is necessary for changes to a repair station's name, ownership, location, or ratings.

**NOTE: Revisions to the repair station's JAA Supplement that reflect changed procedures, but do not change the nature of the repair station's JAR 145 acceptance, must be submitted by the repair station to the inspector for review before implementation. Submission of JAA Form 16 is not required for such revisions.**

(4) *Fees.* For an applicant seeking initial JAA acceptance, the initial fee specified on the current version of JAA Form 16 should be sent to the JAA account specified on the form at least 30 days before the date initial acceptance is needed. For an applicant seeking renewal of JAA acceptance, the renewal fee should be sent to the same account at least 30 days before the expiration of the current acceptance certificate. Electronic transfers should quote the information on page 2 of JAA Form 16. The fee transfer information may also be obtained from the JAA web site "[http://www.jaa.nl/maintenance/documents/tgl\\_frame.html](http://www.jaa.nl/maintenance/documents/tgl_frame.html)". The fees are nonrefundable. No fee is required for the amendment of an existing JAA acceptance; therefore, the fee section of JAA Form 16 is not applicable.

**NOTE: The inspector should ensure that the applicant is aware that application for JAA acceptance requires payment of a fee;**

**however, the inspector is not required to determine if the applicant has paid the fee.**

*B. Evaluate the Application Package.* The inspector must determine whether to continue with the JAA acceptance process based on an initial survey of the application package. The inspector should ensure the applicant has submitted a completed JAA Form 16, JAA Supplement, and evidence of its need for JAA acceptance, if applicable.

**NOTE: JAA acceptance will not permit an applicant to perform work outside the scope of their current 14 CFR part 145 rating.**

*C. Conduct Further Application Discussions.* Any open questions concerning the package must be answered before proceeding to the next phase. This can be accomplished through meetings, correspondence, or any other effective means.

## **9. DOCUMENT COMPLIANCE PHASE.**

*A. Review the Application Package.* The inspector must review the content of each submitted document for compliance with JAA requirements. The JAA Supplement to the applicant's IPM should be reviewed IAW JAA Maintenance Leaflet No. 22 (see volume 2, chapter 168 of this order to determine the requirements of the JAA Supplement). The inspector should review the applicant's JAA Form 16 for completion and ensure that evidence of the applicant's need for JAA acceptance has been included, if required.

*B. Document Any Deficiencies.* If deficiencies are found in any document, the inspector should return it to the applicant with a letter outlining the deficient areas. The inspector also should inform the applicant that the application process will not continue until all document deficiencies have been corrected.

## **11. DEMONSTRATION AND INSPECTION PHASE.**

### *A. Initial Acceptance.*

(1) The assigned inspector will perform an inspection of the applicant for compliance with 14 CFR parts 43 and 145 and the JAA Supplement. The inspector is not required to check for compliance with 14 CFR parts 43 and 145 if the applicant was

subject to an inspection within the past 90 days and no findings or discrepancies were found.

(2) The inspector must review the applicant's compliance with those items specified on JAA Form 9, specifically the following:

- The applicant complies with 14 CFR part 145
- The applicant complies with 14 CFR part 43
- FAA access to the applicant is satisfactory
- The applicant's JAA Supplement contains the signature of the organization's current accountable manager
- Work orders used by the applicant are clear
- Work orders used by the applicant are followed
- FAA-approved data is used, except when the use of JAA-member NAA data is required
- FAA Airworthiness Directives (AD) are used on original U.S. type-certificated products
- Foreign AD's are used on original foreign type-certificated products
- Additional JAA-member NAA AD's are used on any type-certificated product
- Major repairs performed on JAA products are JAA-member NAA-approved
- Major alterations performed on JAA products are JAA-member NAA-approved
- Component maintenance releases are complete
- FAA Form 8130-3 is used for component releases
- The applicant is aware of Airworthiness Certificate validity
- Aircraft maintenance releases are complete
- The applicant complies with procedures to report serious defects to the JAA
- The applicant's Quality Monitoring System is working
- JAA-regulated aircraft are hangared during the performance of work
- The aircraft components used comply with the requirements of appendix 4 to the applicant's JAA Supplement

(3) The inspector will also perform the following:

(a) Confirm that the applicant's JAA Supplement generally is available throughout the facility; and

(b) Confirm whether any work has been performed for a JAA customer since the last inspection. If work has been or currently is being performed for a JAA customer, the inspector will:

- Sample the work for satisfactory standards and the associated maintenance records for clarity and completeness, or if the product has been returned to the customer, sample the associated maintenance records. The inspector should pay particular attention to the approved data used for major repairs and modifications for aircraft components and ensure that an FAA Form 8130-3 approval for return-to-service document always is issued by the applicant.
- Evidence of need shown.
- Confirm that aircraft maintenance only is performed in the hangar, except in the case of line maintenance performed by an applicant also operating as a 14 CFR part 121 air carrier.
- Confirm that the applicant is performing internal quality audits and correcting any findings or discrepancies identified.
- When reviewing the findings of the repair station's Quality Monitoring System (QMS) internal quality audits findings, the inspector should regard the QMS findings as a self-disclosure process and should not process violations on these findings. The inspector should recommend to the repair station that they submit the identified findings in accordance with FAA voluntary disclosure procedures. However, if the inspector notes findings that represent intentional violations or systemic problems within the repair station, normal FAA investigation procedures should be followed.

#### *B. Renewal of Acceptance.*

(1) For a repair station seeking renewal of its JAR 145 acceptance, the inspector must ensure the repair station has been subject to two complete inspections during the preceding two-year period to determine compliance with 14 CFR part 145 and JAA Special Conditions. The inspector should identify the dates of each annual inspection on JAA Form 9 in the block that states "FAA Annual Audits." Inspections conducted before the effective date of this chapter do not need to indicate compliance with JAA Special Conditions. Before completing JAR Form 9, the inspector must be satisfied that the repair station is in compliance with both 14 CFR parts 43 and 145, and the JAA Supplement conditions. Any significant findings/discrepancies found during the preceding two-year period must be listed together with the corrective action taken on JAR Form 9 and forwarded to the JAA Maintenance Division with a copy to the FAA Regional JAA Coordinator.

(2) If any repair station elects not to renew their JAA acceptance, the PMI/PAI will complete a JAA Form 9 with the name, address, and certificate number in the appropriate section. In the FAA oversight section write NON-RENEWAL and complete the non-recommendation block. The JAA Form 9 will be forwarded to the JAA using the address specified in par. 13B.

(3) Inspections of repair stations seeking renewal of their JAA acceptance will be aligned with the existing repair station facility inspection program of the inspector. Should this result in the inspector not being able to process the JAA Form 9 recommendation for renewal before the expiration of the JAA acceptance, the JAA acceptance renewal date may need to be adjusted to ensure reasonable alignment with the inspector's program. The inspector must coordinate with the JAA through the FAA Regional JAA Coordinator to extend the JAA acceptance renewal date to allow for the accomplishment of the facility inspection at the date specified in the inspector's program.

*C. Amendment of Acceptance.* Depending on the nature of the proposed amendment, it may be necessary for the FAA to perform a limited inspection of the applicant seeking an amendment of their JAR 145 acceptance.

*D. Analyze and Document any Deficiencies.*

(1) If deficiencies are noted, the inspector must brief an appropriate representative of the applicant at the end of the inspection, confirm any findings, notify the applicant in writing within two weeks, and if appropriate, meet with the applicant to review the deficiencies in detail.

(2) For an initial application, all deficiencies noted by the inspector must be corrected within 60 days of the inspector's notification to the applicant. If the deficiencies have not been corrected within 60 days, the inspector will terminate the application. The inspector may extend the 60-day period if the applicant demonstrates an ability and willingness to correct the noted deficiencies.

(3) For an application for renewal or amendment, the inspector may allow the applicant to submit a plan for corrective action, depending on the nature of the deficiencies. If the plan for corrective action is satisfactory, the inspector will submit the corrective action plan along with the JAA Form 9 recommendation for acceptance. If the applicant for renewal fails to correct the deficiencies or to provide a plan for corrective action prior to the expiration of its JAA acceptance, the inspector will terminate the renewal application and submit JAA Form 9 to the JAA with a non-recommendation for acceptance. In the event of unusual circumstances (for example, a short period of time between the inspection and the expiration date), the JAA may extend the duration of the applicant's JAA acceptance for a reasonable period of time. If an applicant for amendment fails to correct the deficiencies or to provide a plan for corrective action within the 60-day time period, the inspector will terminate the application and submit JAA Form 9 to the JAA with a non-recommendation for acceptance.

(4) If corrective action must be taken for the certification process to continue, the inspector must be notified in writing by the applicant when all deficiencies have been corrected. Each deficiency and corrective action must be documented and recorded in the applicant's certification file. The inspector must notify the FAA Regional JAA Coordinator of all deficiencies that have not been corrected, any problem that may result in denial of initial JAA acceptance or nonrenewal of JAA acceptance, any issue that requires

consultation with the JAA, or any other actions that must be coordinated with the JAA by the applicant.

### 13. JAA-ACCEPTANCE PHASE.

#### *A. Preparation of JAA Form 9.*

(1) To recommend JAA acceptance of an applicant, the inspector should be satisfied with the proposed JAA Supplement; any amendments, if applicable; and any inspections the FAA has performed. The inspector will recommend acceptance of the applicant to the JAA by preparing JAA Form 9.

(2) For an applicant seeking a renewal of acceptance, the inspector must include on JAA Form 9 a list of the significant findings/discrepancies found during the preceding two-year period. These findings/discrepancies also should have been reported previously IAW section 1, paragraphs 9B and C of this chapter.

**NOTE: Prepare JAA Form 9 with items 9, 10, 11, and 12 marked "yes." Previously the JAA has received the completed form with these items marked "N/A." The JAA wants these items marked with a yes to ensure that the repair station procedures require customers to provide this information.**

(3) Inspectors must not delay or submit JAA Form 9 with a non-recommendation based on pending enforcement actions or an enforcement action that has not been dispositioned by FAA legal council. The inspector must submit a recommendation for renewal and describe the potential violation of the findings in the Discrepancy area of JAA Form 9.

*B. JAA Policy Regarding JAA Form 9 Reporting Requirements.* Any change to the status of the repair station part 145 certificate, such as surrender, suspension, or revocation and any serious failure of the repair station to comply with part 145 that could result in enforcement action. The inspector will report this information on JAA Form 9. For reporting of uncorrected findings or discrepancies, the inspector will leave the date-corrected column blank. Revocation of a repair station part 145 certificate automatically invalidates its JAA acceptance.

(1) Recommendation. The JAA recommends the following items are reportable as recommendations when the repair station has taken corrective action, or has submitted a plan for corrective action that the FAA has accepted. Any enforcement action taken as a

result of the findings/discrepancies will not effect the FAA providing the JAA with a recommendation for renewal. The corrective action plan must be attached to the Form 9.

- Serious failure to comply with NAA requirements
- Overall failure to comply with the JAA supplementary conditions
- Failure to use FAA-approved data for major repairs/alterations/modifications
- Failure of the repair station to maintain a working quality monitoring system

(2) *Non-Recommendation.* The FAA should provide the JAA with a non-recommendation when the FAA has found significant safety issues using the criteria above and corrective action has not been taken or a plan for corrective action has not been accepted by the FAA. The JAA may elect not to renew or amend a JAA acceptance until corrective action has taken place or a plan for corrective action has been accepted by the FAA and submitted with the Form 9.

**NOTE: Withdrawal of FAA certification will result in automatic withdrawal of JAA acceptance, because JAA acceptance is based on compliance with part 145 and JAA Special Conditions.**

*C. Process the Recommendation for JAA Acceptance.*

(1) The inspector will send the following items by mail, facsimile, or electronic mail (Telephone 31-23-5679711; Facsimile 31-23-5621714) to the JAR 145 Coordinator, JAA Maintenance Division, Saturnusstraat 8-10, P.O. Box 3000, 2130 KA Hoofddorp, Netherlands.

- JAA Form 9
- JAA Form 16
- A copy of the applicant's FAA OpSpecs
- Any line station appendix from the JAA Supplement, if appropriate

**NOTE: Any items submitted previously that have not been revised do not need to be resubmitted.**

**NOTE: The privileges of the JAR 145 acceptance must not exceed the applicant's FAA certificate ratings and limitations. Acceptance by the JAA and JAA-member NAA's also will be limited by the FAA OpSpecs**

**issued to the applicant.**

(2) For an initial application, the inspector must not forward JAA Form 9 or any accompanying material to the JAA until the applicant corrects all significant findings/discrepancies. If the applicant is applying for initial acceptance and has an alleged finding/discrepancy being processed for possible enforcement action, the inspector will advise the JAA of the enforcement action on JAA Form 9 but cannot withhold JAA recommendation. If the applicant is applying for a renewal or amendment of their JAA acceptance and an alleged finding/discrepancy is being processed for possible enforcement action, the inspector will advise the JAA on JAA Form 9 IAW section 1, paragraph 9B of this chapter.

*D. JAA Acceptance.* After the JAA receives a completed recommendation from the FAA, is satisfied that the applicant meets all regulatory requirements, and obtains proof of any required fee payment, it will forward a JAR 145 acceptance certificate to the applicant and inspector. The JAA will list the applicant as JAA-accepted in JAA Administrative and Guidance Material. A JAR 145 acceptance certificate is valid for up to two years.

## 15. TASK OUTCOMES.

*A. File PTRS Data Sheet.*

*B. Completion of the Task.* Completion of the task will result in the following:

(1) For a successful application:

(a) Issuance of a JAR 145 acceptance to the applicant by the JAA and its inclusion in the applicant's JAA Supplement;

(b) Revision of paragraph A001, Issuance and Applicability, of a new applicant's OpSpecs to include the following (or equivalent) language: "The repair station specified on these OpSpecs is performing maintenance and/or alteration of aircraft and/or aeronautical products to be installed on aircraft under the terms and conditions of BASAs and associated MIPs between the FAA and JAA-member countries.";

(c) Updating of the Vital Information System (VIS) by completing all relevant data fields to indicate that the applicant is JAA-accepted;

(d) Return of the JAA Supplement to the applicant, if provided; and

(e) Filing of a copy of the JAA Supplement and JAA acceptance in the applicant's office file.

(2) For an unsuccessful application, because the applicant terminated the process or failed an inspection:

(a) The return of all copies of the JAA Supplement, if provided, and JAA Form 16 to the applicant with a letter explaining all deficiencies, including what must be corrected and resubmitted to proceed with the process of seeking JAA acceptance, renewal, or amendment; and

(b) The completion of correspondence describing the situation to the FAA Regional JAA Coordinator.

*C. Document Task.* File all supporting paperwork in the applicant's office file and update the VIS. The inspector also will enter on the applicant's file that the applicant will be FAA-certificated, JAA-accepted, and add JAA Supplement aspects to all future FAA inspections of the applicant's facility. A copy of the applicant's JAA Supplement together with its 14 CFR part 145 IPM will be maintained at the FSDO.

The JAA does not require a copy of either the applicant manual or JAA Supplement.

## **17. FUTURE ACTIVITIES.**

*A. Surveillance Planning.* When the JAR 145 acceptance process is complete, surveillance planning and scheduling for the applicant must be revised to include surveillance and inspections for compliance with 14 CFR part 145 and JAA special conditions.

*B. Maintenance International Standardization Team (MIST) Visits.* Although JAA MIST visits are separate from the inspections discussed earlier in this chapter, they will provide information valuable to inspectors. Such teams will visit each FAA region every one to two years to sample standards of compliance achieved by 14 CFR part 145 applicants who are JAA-accepted under the BASA/MIP process. In most cases, the MIST performs a snapshot audit of a number of 14 CFR part 145 applicants, but may perform a more in-depth inspection in any particular case. The PI assigned to an applicant being visited by a MIST will accompany the MIST during the visit.